



# FERRIS STATE UNIVERSITY

## HUMAN RESOURCES

### HR Related Policies & Procedures

Effective Date: October 22, 2004

FSU-HRPP 2005:51

## Employee Dignity/Harassment/Discrimination

### COVERED EMPLOYEES

- All employees.

### BOT POLICY

**Sec. 8-701. Employee and Student Dignity.** The University expects all students and employees to conduct themselves with dignity and respect for students, employees and others. It is each individual's responsibility to behave in a civil manner and to make responsible choices about the manner in which they conduct themselves. Harassment of any kind, including sexual or racial harassment, is not acceptable at the University. The University does not condone or allow harassment of others, whether engaged in by students, employees, or by vendors or others doing business with the University. Harassment is the creation of a hostile or intimidating environment in which verbal or physical conduct, because of its severity or persistence, is likely to significantly interfere with an individual's work or education, or adversely affect a person's living conditions. It is the responsibility of the President, or his/her designee, to establish and administer University policy to support this principle.

**Sec. 8-703. Importance of Free and Open Discussion.** Nothing in this subpart shall be construed as limiting free and open discussion of all matters, including matters of morality and public safety.

### HR PROCEDURES/DESCRIPTION/DEFINITIONS

- I. To assist with the understanding of what harassment is, this subpart contains specific definitions of two of the more prevalent types of harassment – racial harassment and sexual harassment.
  - A. Definition of Racial Harassment. Racial harassment includes any conduct, physical or verbal, that victimizes or stigmatizes an individual on the basis of

race, ethnicity, ancestry, or national origin. Such behavior could involve any of the following:

1. The use of physical force or violence to restrict the freedom of action or movement of another person or to endanger the health or safety of another person;
2. Physical or verbal conduct, intentional or otherwise, that has the purpose or effect of (or explicitly or implicitly threatens) interference with an individual's personal safety, academic efforts, employment, or participation in University-sponsored activities; or
3. Conduct that has the effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile, or offensive working, learning or living environment.

B. Definition of Sexual Harassment. Based on the definition contained in the Equal Employment Opportunity Commission guidelines, sexual harassment is defined as any of the following:

1. Making submission to unwelcome sexual advances, submission to requests for sexual favors, or submission to other verbal or physical conduct of a sexual nature, a term or condition, either implicitly or explicitly, of any person's continued employment or association with the University;
2. Making submission to, or rejection of, such conduct or communication, a factor in employment decisions affecting any person; or
3. Unwelcome verbal or other conduct that has the purpose or effect of substantially interfering with a person's working conditions or that creates an intimidating, hostile or offensive work environment.

C. Other Types of Harassment. The attributes of racial harassment described in paragraphs I-(A), (1-3) above are also the attributes of most other types of harassment. Harassment may be based upon a person's status that is protected by law (e.g., religion, veteran status, disability, etc.) or may be based on some other reason not specifically covered by law. In any event, harassment of any type is not acceptable at the University.

II. Response to Harassment.

A. Any person who believes that he/she has been subjected to harassment should approach the individual whom he/she believes responsible, identify the behavior that is offensive or harassing, explain that he/she considers the behavior to be offensive and/or harassing, and ask the individual to stop the

behavior. If assistance is needed in approaching the individual, a supervisor, the Director of Employee Relations and Affirmative Action, or the Director of Human Resources should be contacted.

- B. If approaching the offending individual is not possible (e.g., the person who believes that he/she has been subjected to harassment is uncomfortable or uncertain as to how the situation should be handled or concerned that the situation may become volatile), or if approaching the individual does not resolve the matter, it should then be reported immediately to a supervisor, the Director of Employee Relations and Affirmative Action, and/or the Director of Human Resources. If, for some reason, the person who believes that he/she has been subjected to harassment is uncomfortable discussing the situation with any of these individuals, the situation should be reported to any member of the University administration. The circumstances surrounding the matter will be fully investigated, including the nature of the harassment and the context in which it occurred.
- C. All reports of harassment and subsequent investigations will be kept as confidential as possible. Anyone found to have violated this subpart may be subject to corrective action or discharge. Corrective action may include, but is not limited to, official reprimand, official apology, sensitivity training, and/or other corrective actions or measures.
- D. Likewise, because intentionally false accusations of harassment can have serious effects on innocent people, anyone found to have intentionally falsely accused another person of violating this subpart may be subject to corrective action, or discharge.

## **RESPONSIBILITY**

Employee: To refrain from behavior that might be considered harassing and/or discriminatory, and treat fellow employees, students and others with dignity and respect. If harassment does occur, employees must respond to it and/or report it.

Supervisor: Have zero tolerance for harassing behavior. Fully investigate allegations of harassing or discriminatory behavior, and seek assistance of Human Resources or Affirmative Action if needed.

Refer Questions To: Human Resources, Employee Relations and Affirmative Action, or Labor Relations.